

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

UNITED STATES OF AMERICA,)	
Plaintiff,)	
)	
v.)	
)	NO: 1:20-cr-00047-RP-5
ANTIONNE BANKS,)	
Defendant,)	

UNOPPOSED MOTION FOR CONTINUANCE

COMES NOW, ANTIONNE BANKS, by and through counsel, Leslie Boykin, and files this Motion for Continuance of the Plea setting on November 8, 2021 as grounds therefore, would show the Court the following:

I.

The plea document has some factual statements that are in need of changing. After trying to gain access to the offense report on Box.com, and contacting the U.S. Attorney's office for assistance, Defense Counsel was told the report is contained on a CD. The prior attorney on this case, Margaret Kercher, delivered the CD's she had been given by the U.S. Attorney's office during prior discovery, and either she wasn't given the CD with the report, or she accidentally did not deliver it to me, as it is not in my possession at this time. The U.S. Attorney's office is going to transfer the missing files to a flash drive today, so that I can then confirm the details in the factual basis section of the plea.

II.

Additional time is requested in order to complete and finalize the plea paperwork.

Counsel would further show that Mark H. Marshall, Assistant United States Attorney, does not oppose this motion.

Defendant Banks understands and agrees that any period of delay resulting from this continuance shall be excluded from the computation of time under the Speedy Trial Act.

III.

This motion is not made for the purpose of delay, but that justice may be done.

PRAYER

WHEREFORE, PREMISES CONSIDERED, counsel for the Defendant respectfully prays that the Court grant this Unopposed Motion for Continuance; that the plea setting be reset and for such other and further relief at law or in equity to which he may be entitled.

Respectfully submitted,



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CERTIFICATE OF SERVICE

This is to certify that I have served a copy of the forgoing Motion for Continuance, on the 8th day of November, 2021, as follows:

Via Email delivery to: mark.marshall@usdoj.gov
United States Attorney's Office
903 San Jacinto Blvd., Suite 334
Austin, Texas 78701
(512) 916-5858

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ORDER

Came on this date to be considered Defendant's Unopposed Motion for Continuance in the above-styled cause, and after considering the same, the Court is of the opinion that it should be GRANTED.

SIGNED, this _____ day of _____, 2021.

UNITED STATES DISTRICT COURT JUDGE
WESTERN DISTRICT OF TEXAS